

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

THE NEW YORK TIMES COMPANY,

Plaintiff,

v.

MICROSOFT CORPORATION, OPENAI,  
INC., OPENAI LP, OPENAI GP, LLC,  
OPENAI, LLC, OPENAI OPCO LLC,  
OPENAI GLOBAL LLC, OAI  
CORPORATION, LLC, OPENAI  
HOLDINGS, LLC,

Defendants.

Civil Action No. 1:23-cv-11195-SHS

Hon. Sidney H. Stein

**ORAL ARGUMENT REQUESTED**

DAILY NEWS, LP; CHICAGO TRIBUNE  
COMPANY, LLC; ORLANDO SENTINEL  
COMMUNICATIONS COMPANY, LLC;  
SUN-SENTINEL COMPANY, LLC; SAN  
JOSE MERCURY-NEWS, LLC; DP MEDIA  
NETWORK, LLC; ORB PUBLISHING, LLC;  
AND NORTHWEST PUBLICATIONS, LLC,

Plaintiffs,

v.

MICROSOFT CORPORATION, OPENAI,  
INC., OPENAI LP, OPENAI GP, LLC,  
OPENAI, LLC, OPENAI OPCO LLC,  
OPENAI GLOBAL LLC, OAI  
CORPORATION, LLC, OPENAI  
HOLDINGS, LLC,

Defendants.

Civil Action No. 1:24-cv-03285-SHS

Hon. Sidney H. Stein

**ORAL ARGUMENT REQUESTED**

**NOTICE OF MOTION AND MOTION TO CONSOLIDATE**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law and Declaration of Paven Malhotra, the undersigned hereby moves this Court on behalf of Defendants OpenAI, Inc., OpenAI LP, OpenAI GP, LLC, OpenAI, LLC, OpenAI OpCo LLC,

OpenAI Global LLC, OAI Corporation, LLC, and OpenAI Holdings, LLC (collectively, “OpenAI”), before the Honorable Sidney H. Stein in Courtroom 23A of the United States District Court for the Southern District of New York, Daniel Patrick Moynihan Courthouse, 500 Pearl Street, New York, New York, 10007, for an order pursuant to Federal Rule of Civil Procedure 42(a) consolidating the two above-captioned actions for discovery and pretrial purposes, with the consolidated action proceeding on the later case schedule in *Daily News, LP v. Microsoft Corp.*, Case No. 1:24-cv-03285-SHS (S.D.N.Y.).

KEKER, VAN NEST & PETERS LLP

Dated: June 13, 2024

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Dated: June 13, 2024

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